



ECF UPDATE

United States Bankruptcy Court, Northern District of Texas

Volume 3, Issue 2

Court Information

ECF Help Desk

800-442-6850

Online ECF Help

www.txnb.uscourts.gov/help

Website

www.txnb.uscourts.gov

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Order Upload



Figure 1

The method for submitting proposed orders changed on **Monday, April 3, 2006**.

The "Proposed Order Upload" option will no longer be available on the Main Menu Bar (see Figure 1 above). You will submit proposed orders much in the way motions and other documents are filed electronically. A separate login and password will not be required to upload proposed orders in ECF.

Instead, your ECF login and password provides access to the Proposed Orders upload menu option. Once you have logged into ECF with your ECF account, click Bankruptcy, and then click the "Proposed Orders" category to begin uploading your order. Step by step instructions are available in the court's ECF User Manual (http://www.txnb.uscourts.gov/ecf/manual/Attorney_User_Manual.htm).

Important New Features for Uploading Orders

Once the proposed order is docketed, e-mail notification is sent to all case participants who have a registered e-mail address in ECF. The subject line of the e-mail reads "Proposed Order (No Document Attached to Email)". There is no "free-look" associated with the e-mail. Only orders entered by the court will have an associated "free-look" view of the order via e-mail.

A docket entry is made on the PACER Docket Report. There is no document associated with the docket entry for viewing. Each proposed order submitted receives a Reference ID number (i.e., Ref-ID: 1141914389937_3). This number confirms for the user that the court has received the proposed order for judicial review. The Reference ID number appears in the proposed order docket entry. The new proposed order docketing procedures have been designed to enhance ECF filing by eliminating the need for an additional login and password. ECF users are also afforded immediate e-mail notice that a proposed order has been submitted to the court with a corresponding docket entry on the PACER Docket Report.

A separate login and password will not be required to upload proposed orders in ECF.

Objection Events Moving to the Answer/Response Category

To make finding the correct event selection easier when filing an objection or response, all objection events listed below were moved to the Answer/Response category under the Bankruptcy menu on April 3, 2006.

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> • Objection to claim • Objection to confirmation of | <ul style="list-style-type: none"> plan 11/12/13 • Objection to debtor's claim of exemptions (This selection will also be available under the Trustee/US Trustee menu.) • Objection to disclosure statement • Objection to homestead ex- | <ul style="list-style-type: none"> emptions • Objection to transfer of claim <p>Listing all of the objection and response events under one menu option saves time and makes it easier to select the appropriate event. Please contact the ECF Help Desk if you have any questions regarding event selection.</p> |
|--|--|--|

ECF UPDATE

ECF or Diskette Filing Document Types

Petitions, pleadings

- PDF FORMAT (scanned documents)

Matrices

- TXT (text) FORMAT

Orders in ECF Order Upload

- WORD PROCESSING FORMAT (specifically, WordPerfect or Microsoft Word)

No Paper Copy Necessary

—When electronically filing documents, please do not send a duplicate paper document to the clerk's office unless the court has requested the copy. The filing party receives a confirmation from the ECF system that the document has been filed when the transaction is completed.

Adding Creditors

Add creditors to cases when filing pleadings (i.e., Motions) by using existing names in the CM/ECF database when possible. It is very likely you will find the party in the CM/ECF database. Creditors will be listed in CM/ECF by name only (i.e., Ford Motor Credit). No mailing addresses should be entered for creditors when filing pleadings. The mailing matrix is the only place creditors should have a mailing address. If you wish to add a creditor with address to a case in ECF, use Creditor Maintenance.

Ideally, there should be only one Ford Motor Credit party in the CM/ECF database. This greatly simplifies searching when adding parties and querying cases. Follow these steps when adding creditors.

1. If the creditor name is not already in the case, search for the party by clicking "Add/Create New Party".

2. Search for a party screen appears. Type in the name of the creditor and click Search.

3. Ideally, there should only be one Ford Motor Credit listed in ECF. The listing will be NAME ONLY. Find the listing with no address and click "Select name from list".

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4. Party Information screen appears. Do not add the mailing address. The only field you will alter is the “Role” field. This must be changed to Creditor. Click Submit to add the creditor to the case.

Party Information

Ford Motor Credit SSN:Unknown

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail

ProSe no Role Creditor (cr:cr)

Party text

Finally, click Next to continue filing your document

Select the Party:

[Add/Create New Party](#)

Ford Motor Credit, [Creditor]
 Dallas County, [Creditor]
 Fox Hollow Homeowners Association, Inc., [Creditor]
 Lolyekar, Sameer J. [Debtor]
 Powers, Thomas Dwain [Trustee]
 U.S. Trustee, UST [U.S. Trustee]

The proliferation of different names for the same creditor makes searching frustrating and time-consuming. Following the steps above for adding creditors will limit the number of times a creditor is added to ECF and eliminate frustrating searches. If you have any questions regarding adding creditors to cases, please contact the ECF Help Desk.

Attorney Checklist Concerning Motions and Orders Pertaining to Use of Cash Collateral and Post-Petition Financing

In accordance with General Order 2000-7, *Standing Order Concerning Guidelines for Compensation and Expense Reimbursement of Professionals, For Early Disposition of Assets in Chapter 11 Cases, and for Motions and Orders Pertaining to*

Use of Cash Collateral and Post-Petition Financing, the Attorney Checklist Concerning Motions and Orders Pertaining to Use of Cash Collateral and Post Petition Financing should be used for all motions and orders in excess of

ten (10) pages. The Cash Collateral checklist has been added to our web forms page for your convenience at www.txnb.uscourts.gov. Please use this checklist in accordance with General Order 2000-7.

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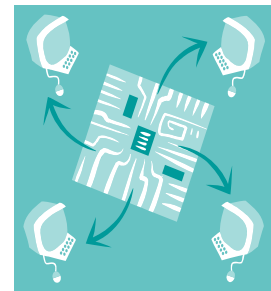
CM/ECF Enhancements

Notice of hearing is now a combined event. This event can be used for setting a hearing in a bankruptcy case or adversary proceeding. The following events have been combined into a single event and are no longer available selections on the event list: Notice of hearing (motion), Notice of hearing (other), and Notice of trial hearing. This should make event selection much easier.

Certificate of service - The user will no longer be prompted for linkage during the docketing of this event. There will be a prompt to ask the user to "Provide a brief description of what is being served". This will be inserted into the final docket text. Since the certificate of service is e-mailed to case participants and the document being served is referenced in the PDF, there is no longer a need for linkage. This entry will always stand alone on the docket sheet and no linkage is required. This will eliminate confusion for the user and make it easier to correctly docket/QC certificates of

Amended motion or motion to amend order is a new event. It is a combination of the Amended motion and Motion to amend events. The separate events are no longer available as selections. The user is asked the question, "Is this document amending a previously filed motion?".

If the answer is "Yes," then the event prompts the user to link to a previous motion and correctly file an amended motion. If the answer is "No," then the event prompts the user to link to a previous order and correctly file a motion to amend an order. This eliminates confusion for the user and discourages incorrect event selection.



Chapter 13 Plan is now a combined event. This change combines five events into one. The Amended Chapter 13 plan, Chapter 13 plan (modified), Chapter 13 final plan, and Chapter 13 final plan package have been removed as event selections. This event satisfies the 15-day deadline for the plan, and removes the PlnDue flag if present on the case. Separate events for filing the plan are no longer required.

Reaffirmation agreement - This event has been modified to allow the user to identify the entry as an amended reaffirmation agreement. The user is prompted with a question, "Are you amending a previously filed reaffirmation agreement?."

If "Yes" is selected, the user is prompted for linkage to a previous entry, and the text "amended" is inserted into the final docket text. If no, then the linkage step is skipped and no additional docket text is inserted. This eliminates the need for the court to docket for external users when an amended reaffirmation agreement must be filed.

REMINDER

A notice of hearing must be filed every time a hearing is set. Otherwise, the hearing will not be on the court's calendar.

Financial Management - Debtor Education

In Chapter 7 individual debtor cases, 45 days after the first 341 meeting has been set, debtors must file a certificate of completion of a personal financial management (debtor education) course. For Chapter 13 cases, the debtor must file the certificate no later than the last payment made by the debtor as required by the plan. Note: The credit counseling certification requirement upon filing the case is entirely different from the debtor education requirement; each requirement requires its own certification be filed in the case.

If the financial management certificate has not been filed when due, the clerk's office issues a 10-day notice of deficiency. Debtors who fail to comply will have their cases closed without discharge. A fee will be required to reopen the case in order to file the certificate for the debtor to receive a discharge order. Please instruct your clients to complete their debtor education as soon as possible after filing their cases.

A list of approved debtor education providers is available from the US Trustee Program website at: <http://www.usdoj.gov/ust/eo/bapcpa/ccde/>.



Changes in Statutory Bankruptcy Fees

Effective April 9, 2006

The Deficit Reduction Act of 2005, enacted on February 8, 2006, includes several changes to filing fees. These fee increases will apply to all new cases filed on or after Sunday, April 9, 2006.

Filing Fees

Chapter 7 increases to \$299.00

Chapter 13 increases to \$274.00

Chapter 7 to 11: Decreases from \$780 to \$755

Conversion of Chapter 13 to 11: Decreases from \$850 to \$765